

**Big Cypress National Preserve  
ORV Advisory Committee Meeting  
July 21, 2008  
Everglades City Community Center  
Everglades City, Florida  
3:30 p.m.**

**Meeting Minutes**

**Attendance.** Committee members: Present – Wayne Jenkins, Robin Barnes, Manley Fuller, Franklin Adams, Karl Greer, David Denham, Chuck Hampton, Barbara Jean Powell, Marsha Connell, Laurie Macdonald, Gary Lytton, John Adornato, Ed Woods. Not present – Win Everham, Curt Witthoff, Steve Thompson.

Preserve staff present: Pedro Ramos, Ed Clark, Ron Clark, Dennis Bartalino, David Adams, Bob DeGross, Damon Doumlele, Don Hargrove, Valerie Clark, David Hamm, Tony Lopez, Delia Clark (contracted facilitator).

Approximately 8 members of the public were in attendance.

**Welcome.** Acting Superintendent Pedro Ramos welcomed all attendees to the meeting and announced that everyone participating on the ORVAC has completed the necessary training to serve on the committee. Mr. Ramos provided an overview of recent experiences he had at a recent NPS Superintendent's Summit held in Utah. He said that he is excited about the topics the committee has undertaken and anxious to hear the reports from the subcommittees.

Mr. Ramos said education is important and that he had an opportunity to meet with some of the members of the lottery subcommittee. He stressed the importance of the work that is ahead of the committee with regards to the Turner River Unit and the implementation of the ORV Management Plan. The overall goal of the plan is to implement a designated trail system that will allow ORVs access to the Preserve while concurrently protecting resources. The Turner River trails topic is of high priority to the NPS, and he encouraged the committee to make it a priority of theirs as well. He emphasized that if the NPS could receive needed information from the committee by September, it would give the agency what it needs to complete internal work during the next dry season. Mr. Ramos welcomed Mr. Adornato and thanked him for the letter read to the committee at the last meeting. Mr. Ramos announced that Dr. Everham and Mr. Witthoff requested to be excused from today's meeting. He then recognized Big Cypress National Preserve staff in attendance and thanked Ms. Clark for the great job she has done facilitating the meetings.

Ms. Clark provided a description of the meeting's structure that would allow periods for public comment following each topical segment. She said that public comments will be heard in the following order at these approximate times:

- 4:45 Education
- 5:35 Turner River Trails System
- 6:35 Lottery System
- 7:15 Youth access to the Preserve
- 7:25 General comments

Ms. Clark told the audience that if this schedule presents a hardship for anyone, their general comments can be heard at one of the topic public comment periods. She asked the audience to restrict their comments to three minutes per person and encouraged them to fill out a card to help organize time periods in which they will be allowed to speak. General comments intended for review by the ORVAC may be received in writing, by e-mail, or by calling the Preserve. She asked attendees to make sure that written comments are addressed to the ORVAC.

**Approval of Minutes.** The May 18, 2008, ORVAC meeting minutes were approved without amendment.

**Visitor Survey Project.** Mr. Bob DeGross, BICY Chief of Interpretation, gave a presentation on visitor studies, focusing on the BICY Visitor Survey Project completed in 2007. He explained that the NPS studies were done in cooperation with the University of Idaho Cooperative Parks Study Unit, who work very closely with the NPS social science program. All of the details and data Mr. DeGross will discuss can be found at the Cooperative Parks Study Unit website at [www.psu.uidaho.edu](http://www.psu.uidaho.edu). Big Cypress and other NPS park units' data may be found at the referenced site. There are two types of studies conducted in NPS units used to help NPS managers determine who our visitors are, where they are from, what their needs are, what their opinions are about the facilities and services, and how they feel about provided services.

Mr. DeGross noted that the Tread Lightly study described at the May ORVAC meeting falls outside of the Cooperative Parks Study Unit. That study from Clemson University was requested by the Washington Office for three or four NPS parks across the country. The studies that will be discussed during tonight's meeting look specifically at individual park units. The first study project is called a Visitor Card Project conducted annually in the Preserve during March to measure visitor satisfaction of Preserve services and facilities and visitors' understanding of the significance of the Preserve. The survey is a national survey tool that cannot be altered by the parks. All of the 390 park units across the country conduct this study annually, and the studies are done to determine if each unit is meeting its Government Performance and Results Act (GPRA) goals. Two of BICY's GPRA goals are to: 1) ensure the satisfaction of services and facilities, and 2) ensure visitors have an understanding of the significance of the unit that the NPS manages. The Preserve typically receives a 90-plus percent score satisfaction rating on visitor services and facilities. This survey is used to obtain opinions from general visitors at frontcountry facilities during peak visitation periods.

The downside of the Visitor Card Project is that it does not take into account the opinions of backcountry visitors. Mr. DeGross stated that the survey was once conducted during

January, but due to the relative absence of hunting at that time, it was moved to March to better capture the opinions of backcountry recreationalists.

The other type of study is the Visitor Survey Project or VSP, which provides a much more in-depth study than the visitor survey cards. The VSP is conducted every five years in units of the NPS. The last VSP done for Big Cypress took place in January 1999. In 2007 BICY made a concerted effort to make sure that the opinions and views of individuals who ventured into the backcountry were captured using a mail-in format. A random sample of landowners and ORV permit holders associated with the Preserve was selected to provide needed data. The 2007 VSP received backcountry recreationalist/landowner data via handout in March and mail-in information in May. Mr. DeGross said that one of the purposes of his presentation is to take a look at the similarities and differences between general and backcountry visitors. The process to conduct these studies is lengthy, beginning with a request to do the studies. To move forward the Preserve must be selected as one of the study units followed by the long process of drafting the questionnaire done by an in-house committee to determine what types of information we need to learn from our visitors. To complete the process, on-site surveys are done followed by mail-in surveys. The VSP process requires a year to a year and a half to get the survey approved and completed. Data received must be viewed with caution. Sometimes only four or five responses to a question are received, too small a sample for evaluation.

Mr. DeGross said that BICY staff provided information on landowners and ORV permit holders to CPSU. BICY's onsite survey was conducted March 3-11, 2007, and 1,098 people were contacted for the general visitation study. Of the total number of people who received and accepted the questionnaire, approximately 9% or 96 people did not respond. BICY received 634 responses for a 63% response rate to the questionnaires. The ORV permit holder/landowner study was mailed out on May 2, 2007, and contained 549 surveys. The NPS received 240 surveys in response for a rate of 46%. A response of 46% was lower than anticipated, but the data set was analyzed anyway.

Of the 520 survey tools sent out, 479 were sent to ORV permit holders. Of these, 220 were returned. A total of 41 were sent to landowners; 20 were returned. Cumulatively, this totaled 240 responses. Primary counties that BICY received responses from were Broward (40 responses), Collier (40), Lee (27), and Miami-Dade (87); 32 responses were received from all other counties.

For general visitors, 48% were in groups of 2 persons and 31% were groups of 3 or 4. For permit holders and landowners, 40% were in groups of 3 or 4 and 29% were in groups of 5 or more. No organized groups were included in the data sample. For general visitors, 52% were families and 27% were friends.

The general visitor data showed that the average age of BICY visitors to frontcountry facilities was from 51 to 70. The ORV recreationalist average age was 36 to 55, and data showed younger people are enjoying ORV recreation; 18% of respondents were children

younger than 18. The NPS average for people recreating with their children is approximately 20%, and this study shows that BICY is close to the national average.

Eighty-six percent of Preserve visitation was from the U. S., 34% were from Florida, and 6% were from Ohio or Michigan. Of the 14% international visitors, most were from Canada. For the ORV permit holders and landowners, the majority were Florida residents. The majority of visitors are one-time visitors who primarily use frontcountry facilities. ORV permit holders and landowners use the Preserve five or more times throughout the year. Backcountry recreationalists spend 3-5 days in the Preserve as compared to frontcountry visitors, who stay three hours.

ORV permit holders generally knew the difference between the management of a national park as compared to a national preserve, whereas 73% of the general visitation did not know the difference nor were aware of the types of activities allowed in the Preserve. Forty-eight percent of the general public received information about Big Cypress by word of mouth. Sixty-four percent of ORV recreationalists received information from the web, and Mr. DeGross believed that because of this high number, the NPS must do a better job of placing needed information on the web. ORV permit holders expressed an interest in receiving more information on the web, such as updated water levels and trail conditions information.

Most general visitors were in route to other destinations and happened to pass through the Preserve. In comparison, 92% of ORV permit holders and landowners came to the Preserve as their planned destination. A majority of the ORV permit holders and landowners spent two to three nights in the Preserve, 38% spent a minimum of two nights, and 25% spent up to five nights.

Ms. Powell asked about the “cautionary notes” pertaining to a question on where the visitor stopped before coming to the Preserve. Mr. DeGross replied that only a small number of respondents answered the question, but of those that did, 63% said that they spent four or more nights on the east coast. Of the general visitors who stayed overnight in the Preserve, 32% spent seven nights or more probably in frontcountry campgrounds and 21% spent more than a day in Big Cypress, probably tent or RV camping.

For the general visitors, 47% were spending two to four hours in the Preserve. For the ORV permit holders and landowners, 82 respondents said that on their last visit they spent less than a day in the Preserve. Respondents reported that they recreated primarily in the Turner River and the Bear Island units. Approximately 40% entered the backcountry through the Turner River Unit and 30% through the Bear Island Unit. The most heavily used backcountry access points were Monroe Station North, followed by Bear Island and Oasis.

Ninety-five percent of the ORV permit holders wanted to explore the backcountry, and 85% felt that they were able to explore the backcountry and enjoyed challenges in exploring the backcountry. ORV permit respondents reported that there were limited trails and access for airboats and swamp buggies. Of the general visitors, 54% wanted to

access the backcountry. For permit holder, 54% were using ATVs as their primary mode of access, 49% were using swamp buggies, and 20% were hiking during their last visit. Sixty-three percent of permit holders and landowners owned ATVs, 46% owned swamp buggies, and 16% owned street-legal 4 x 4s. Of the vehicles owned by the permit holders and landowners, 57% were purchased after 2001, 21% were 1991-2000, and 22% were 1965-1990. While in the backcountry, ORV recreationalists reported the following:

- 49% took part in camping
- 45% took part in hunting activities
- 42% visited the backcountry for wildlife viewing
- 34% said they were taking a scenic drive

For facilities used, general visitors said that they use the restrooms more than anything else, while 92% of the backcountry travelers primarily used the trails. Of the backcountry travelers, 41% used the restrooms and campgrounds. Permit holders and landowners reported that scenic drives, wildlife viewing, campgrounds, and trails were the most important facilities that they used. For the general visitors, the campgrounds, wildlife viewing areas, and access for disabled visitors were the most important facilities. The general visitors highly regarded frontcountry facilities, whereas the backcountry visitors scored the same facilities as having less quality. The average backcountry visitor did not feel that the trails were overcrowded by a margin of 80%, while 10% felt that they were moderately overcrowded.

Ms. Macdonald stated that it would good to see comparable state parks records as a comparison. Mr. DeGross responded that he is not familiar with the survey tools that the state parks system uses, but he could find out.

Ms. Powell asked for an explanation of “scenic drive.” Mr. DeGross stated that the term was up to the respondent, and no identifiers could be placed on the term.

Ms. Powell stated that an earlier slide showed airboat participation to be approximately 16% and asked if there was any way to compare those numbers to the numbers prior to the Record of Decision. She said that the Stairsteps Unit, especially Zone 4, was a tremendously popular area, and it would be interesting to see a comparison of the figures before there was so much closure of that area. Mr. DeGross replied that BICY has the needed data and suggested BICY provide the data as an action item.

***BICY Action:*** Determine the most recent number for airboat use in Zone 4 of the Stairsteps Unit and the average use prior to 2001 when the Record of Decision was signed.

Data showed that:

- General visitors spent approximately \$601.00 or more on hotels.

- ORV permit holders and landowners spent an average of \$200.00 or less in the local community per trip (cost calculated prior to current gas prices of \$4.00 per gallon)
- For the general visitors, 71% said that they would likely visit the Addition
- For permit holders and landowners, 71% said that they would likely visit the Addition; of those, 18% said that they would possibly use outfitters or guides if such activities were allowed in the Addition
- Permit holders and landowners said the activities they would most likely engage in would be hunting, fishing, off-road driving, and camping
- If the Addition were open to general visitors, they would most likely utilize guide services, and they would like to go hiking, camping, bird watching, and view wildlife
- 89% of the general visitors felt that their visit to BICY was very good or good
- 70% of the ORV permit holder and landowners said that their visit was very good or good

Data suggest that the NPS should probably do more for the backcountry visitors and provide more facilities.

When permit holders and landowners were asked what they liked the most about their visit to BICY:

- Nature and the outdoors
- Peace of the site
- Solitude, lack of crowds, nature, wildlife viewing opportunities, trails

What visitors disliked about their visit:

- Poor trail system
- Nothing to dislike
- Extensive regulations
- Bugs and mosquitoes
- Harassment by Preserve personnel
- The need to stay on designated trails

Mr. DeGross showed a final slide that provided data describing what visitors want for planning for the future:

- More access
- More ORV trails
- Allow more hunting

Additional comments received were:

- Enjoyed the visit

- This is a beautiful place
- Increase accessibility
- Keep preserving it
- Review and adjust the regulations

Mr. DeGross restated that the data are available by viewing the website at [www.psu.uidaho.edu](http://www.psu.uidaho.edu). He concluded his presentation by stating that he had copies of the executive summaries from the 1999 study, the onsite general 2007 general visitor study, and the mail-in 2007 study. He asked that the ORVAC please review these documents on-line.

The Committee requested that copies of powerpoint presentations be provided to members during discussions. One member said that the screen was difficult to see and it was hard to follow along during the presentation.

***BICY Action:*** Provide copies of powerpoint presentations to the ORVAC during meetings.

The Committee asked if there was any information received from the hiking types of visitors, and Mr. DeGross replied that none was received because BICY does not have a database for those visitors. He said that there was an effort to obtain data from the Florida Trail and wildlife check stations, where the NPS receives both ORV and hiking visitors.

Ms. Powell suggested that the subject of the improving backcountry permits may be another project that the ORVAC may want to make recommendations on. Mr. Fuller suggested that useful data may be available through the Florida Trail Association.

**Education Subcommittee Report.** Ms. Powell reported that the subcommittee received two drafts of the questionnaire to be distributed in connection with the Tread Lightly (TL) project, and she was concerned about some of the questions, which she felt were mean-spirited, trick questions, offensive, subject to misinterpretation, and reflected badly on backcountry users. She gave several examples and stated that she had communicated her concerns to the TL researchers.

Ms. Clark asked the committee if they would like to see a final draft of the TL survey or if they would prefer that the Education Subcommittee address the issue. Mr. Fuller said that he would like to see the draft of what the researchers come up with after receiving draft recommendations from the subcommittee.

Ms. Clark said that it appears that the committee would like the subcommittee to review drafts before sending revised drafts to the committee.

Ms. Powell said that the subcommittee took on the TL survey as their primary mission and asked if it could be listed under education. Mr. DeGross replied that the backcountry data collection is not exactly education and said that it would be up to the ORVAC. Ms.

Powell asked if a separate subcommittee should be formed to address the issue. Ms. Clark noted that during the previous meeting of the ORVAC, it was determined that three subcommittees would be enough going at one time.

Ms. Powell addressed the issue of backcountry permits not being available at access point kiosks, and Mr. Fuller suggested creating an electronic backcountry permit form and placing it on-line for printout. To minimize the potential for incomplete forms, he suggested the form could be created that would not print out until all boxes are filled in correctly. Ms. Clark suggested that the issue be placed aside for future review as an agenda item.

Mr. Ramos stated that he thinks that the electronic backcountry form is a good idea and is something that staff has been thinking about for a long time.

***Future Agenda Item:*** The backcountry permit issue will be addressed at the November ORVAC meeting.

Ms. Powell identified problems the subcommittees are facing because they did not have the answers to specific questions due to the lack of adequate data.

***Public Comment.*** Mr. Frank Denninger stated that the percentage of ORV permit holders responses from Miami-Dade County was relatively high. In regards to the last discussion, he would like to see the paper used for the backcountry permits be of sufficient quality to allow easy use and confirmed through experience that the current paper is of poor quality and is difficult to write on. He said that he and others often take several sheets at a time to fill out in advance for convenience. In reference to the TL survey, he said that he saw the second draft of the survey and it needs further review. He did not see anything from the ORVAC where they are commenting on the final draft. He believes that interested members of the public such as him should be able to see what the ORVAC sees. He believes that the survey results could be used by other people to impact the ORV cultural community. He thought the survey was brought to the NPS by TL, and today learned that the Washington Office asked TL or Clemson University to conduct the survey. If this is correct, then the survey would be considered a federal action and someone should study the impact of that action on the cultural community. He did not want the results of the survey to be sound-bited on the Internet, which could be used against the cultural community.

***Committee Discussion.*** Mr. Fuller commented on actions that took place in a previous meeting where the public was requested to place their names and e-mail addresses on a list to allow them to receive what the ORVAC receives. Mr. Doumlele said that there was a link on the website for agenda items and another link for general comments.

Ms. Powell said that she was under the impression that TL had approached the NPS. If the NPS is initiating the TL survey, it may place the committee in a different category and require a greater level of public participation. In response, BICY Chief Ranger Ed Clark said that the TL study is designed to find out how well the community is receiving



the TL message so that the NPS can better tailor the educational program. Mr. Fuller shared with the ORVAC that Clemson University is considered one of the centers for knowledge about public recreation and trends in the country. Ms. Clark asked the ORVAC that in consideration of what they have heard from the public, if they would like to consider changing the level of public involvement in looking at the survey or anything else.

Ms. Macdonald stated that she was sensitive to methods used in putting together professional surveys, because a question could be asked one way and later in another way.

Mr. Fuller added that he would like to see the most recent version of the TL survey that the researcher has. Mr. Jenkins added that if the final TL survey is out, it should be reviewed by the full committee.

**Decision:** Ms. Powell will check to see if she has received a recent version of the TL survey from the researchers for distribution to the full committee.

**Turner River Trails Subcommittee Report.** The charge of the Turner River Trails Subcommittee is to look at the current plan, incorporate the data, and make recommendations on the Turner River trail system. The subcommittee is coordinated by Ms. Powell and comprised of Mr. Adams, Mr. Greer, Mr. Hampton, Mr. Jenkins, and Ms. Macdonald. Ms. Powell said that the subcommittee is working on a meeting date and will need some direction. She asked if they would be working on identifying primary trails only or if they will be working on secondary trails as well. In response, Mr. Ramos said that the Turner River Unit is a priority project for the NPS. He said that the NPS needs to get information from the committee that identifies primary and secondary trail locations based on information received from the public about a year ago. He added that Mr. Doumlele has gathered all of the information provided by the public and placed it on a map. He offered the subcommittee space at the Preserve if needed to work on this project and the use of staff to answer any questions they may have.

**Committee Discussion.** Mr. Fuller asked what the tentative due date was for completion of the Turner River Trail System. Mr. Ramos replied that if the NPS could get needed information by the September meeting, it would give BICY staff time to complete the internal meetings and finalize concepts that would be handed to NPS field staff to mark the trails and plan any improvements or stabilization on the trails. He said that it is critical that we do not miss the seasonal window of opportunity to get out in the Preserve and do the work. Work on the trail system may possibly begin at the end of October or early November through late spring and early summer. Mr. Fuller asked if the Turner River Unit is set for completion next year. Mr. Ramos responded that the internal goal is to use the information from the concept and call the Turner River Unit complete in terms of the designation of both primary and secondary trails. He added that looking beyond the Turner River Unit, the pace that is currently being set will allow for the substantial completion of the ORV plan implementation by 2010; at that time the Turner River and Corn Dance units should be completed. Both Zones 2 and 3 of the Stairsteps Unit will

require some attention, but those zones are relatively small compared to the bulk of the work that is located in the heart of the Preserve.

Mr. Adams pointed out that the committee should consider tropical storms that are prevalent in the south Florida area, so the September completion date may be difficult to predict. He asked Mr. Doumlele if he has worked on secondary trails at all. Mr. Doumlele said yes and that the NPS received many comments and recommended trails that would lead to specific destinations. He also received comments on just destinations, and the requester left the decision up to the NPS on how to get there. The NPS is looking at both primary and secondary trails. All comments will be made available to the subcommittee when they are ready to review the information.

Ms. Powell mentioned that some time ago there was consideration of re-alignment of some of the secondary trails in Zone 4 of the Stairsteps Unit and said that effort was stopped abruptly. She asked if the effort will be completed, and if so, what the timeline for the project is. Mr. Ramos replied that BICY collected data for the project from the public approximately two years ago and over the course of the last year. He said due to the legal challenge that the NPS has in front of them now, a decision was made to suspend that effort until the time was right to move ahead. He was unable to provide a particular timeline for the project. He said the NPS has the flexibility within the ORV plan to consider expanding the trails in the unit, but he is not sure when NPS will be able to.

Ms. Powell said that in 1999 a number of sportsmen turned in maps and she took them to various individuals who marked destinations on them. She was told that that particular material had not been coordinated with the more recent collection of data. She believes that the 1999 data will be needed before the subcommittee will be able to work productively on their assigned project. Mr. Doumlele responded that he has a number of old maps that has Ms. Powell's business card on them and the information has been included with recent comments that BICY received.

Ms. Powell said that another piece of information that the subcommittee will need is a map depicting landmarks, because lines on a map are confusing without them. Mr. Doumlele said that the NPS will do its best to include needed landmarks.

Mr. Ramos stated that it is important for the committee to realize that there is a concept for the Turner River Unit that has been articulated in the ORV plan. He said that we are not starting from scratch in this effort and that he and Karen Gustin (former BICY superintendent) felt very strongly that when the plan was developed, the environment was not great for dialog, but today things have changed. BICY management felt that it was important to go back out and obtain information that may have been lost from past experiences.

Ms. Clark summarized the discussion by stating that the subcommittee needs to come back to the full committee at the scheduled mid-September meeting and provide recommendations.

Mr. Adornato volunteered to serve on the subcommittee and was accepted.

**Public Comment:** Mr. Tim Spaulding wanted all in attendance to be aware that back in the 1980s and 1990s when backcountry visitors were required to have special use permits, they were required at the end of the year to provide a compilation of the number of people and the number of trips they made to the backcountry that might be useful at this time. Data was collected for airboating in Zones 1 and 2 that might be good information that should be in BICY records.

Mr. Frank Denninger said he heard Mr. Ramos mention Stairsteps Unit Zones 2 and 3 and was not sure if he mentioned Zone 1. Mr. Denninger said that Zone 1 for sure was closed a long time ago, and he believes that the zone can be reopened. He said that Zone 1 at the time was under a lot of pressure from commercial as well as cultural traditional air boating and believes at that time that it involved up to nine businesses that became the attention of those who may have filed a lawsuit. He hopes that Zones 1, 2, and 3 will be considered for reopening. Reopening the areas seems justifiable to him because there was no scientific information available to justify the closure. He believes that these types of issues are really what the Turner River Trails Subcommittee should be working on. Mr. Denninger believed that he heard that non-committee members could be appointed to subcommittees, and he would like to volunteer his services for the Turner River Trails Subcommittee due to his extensive knowledge of the Stairsteps, Turner River, and Corn Dance units. He said that his vast experience can be utilized that few people on the subcommittee have.

Ms. Clark confirmed that the committee may appoint members of the public to serve on subcommittees.

Mr. Lyle McCandless identified himself as an individual and president of the Big Cypress Sportsmen's Alliance. He asked Mr. Doumlele if he would define the term secondary trails. Mr. Doumlele responded that the ORV plan states that a secondary trail is relatively short and branches off of a primary trail to reach a specific destination such as a camp, favorite hunting location, scenic spot, etc. Normally those trails are not stabilized or improved and they offer one way in and out. Mr. McCandless asked if there has been a more finite determination as far as distance that would identify a secondary trail. Mr. Doumlele said that there is no established determination on the length of a secondary trail, and Mr. Ramos added that it is hard to come up with such a length. He pointed out that secondary trails are not used to circumvent the amount of trails that have been discussed in the plan as primary trails. Mr. McCandless stated that in Bear Island there are approximately eight short secondary trails that were set up that he checked on, and all are approximately ½-mile in length. He voiced dissatisfaction with a trail that was shortened that was needed to reach a prime area in the northeast section. In reference to the Turner River Unit, he asked what the total amount of miles allowed in there is. Mr. Ramos read to the audience from page 34 of the ORV plan that the unit would have approximately 140 miles of primary trails. Mr. McCandless said that there were approximately 115 miles of primary trails in the Turner River Unit today, and that would allow only an additional 25 miles of trails. He asked if there was a map available today

for the ORVAC and the audience to get a feel for the existing 115 miles of trails available and if it is feasible or worth anyone's time to put in an effective trail system when there are only 20 more miles available. Mr. Ramos stated that there will be additional opportunities to visit the concept and that trails may be added or subtracted. Mr. McCandless stated that he and others placed a grid over the 400 miles of trails in the Preserve and said that everyone should realize that the trails are placed approximately five miles apart. In his opinion, it would be very difficult to develop a reasonable trail system in Turner River Unit. He said that he would welcome the opportunity to see a map depicting existing trails so they could get a feel for how many trails are needed for realistic access. He said that the committee members should understand that the 1974 establishing legislation stated that ORVs, hunting, and traditional activities are allowed by Congress. He stated that it is not the committee's job to advise the NPS in administering them, and that anyone on the committee should refrain from promoting any anti-ORV agenda.

**Committee Discussion.** Mr. Fuller reiterated what Mr. Ramos said earlier concerning the existing 115 miles of trails and the ORVAC's ability to make recommendations on adjusting trail mileage. Ms. Powell commented that this effort will take a great deal of work by a lot of people, and it would be comforting to know that there was some level of confidence that their work, product, and time would not be invalidated. Mr. Greer mentioned that during the past weekend he visited his property, and a trip that usually takes three hours took him less than two. There is an opinion that the trails have been improved too much. Other members of the committee stated that if you make the backcountry too easily accessible, it becomes an open invitation for trouble, particularly for those who own camps.

**Lottery System Subcommittee Report.** Mr. Jenkins, Mr. Adams, Mr. Denham, Ms. Powell, and Mr. Hampton comprise this subcommittee.

Mr. Jenkins reported that they learned a great deal. One of the problems the subcommittee attempted to resolve was the issue of users who come to the Preserve for a day or so and leave with their permit. The subcommittee considered setting aside a number of permits available to individuals who visit for the day. This temporary permit would be used to allow access to the Preserve and would be returned at the end of the day. The subcommittee considered partially refunding those individuals who return their permits as an incentive for them to do so.

The subcommittee further recommended that permits could be applied for on-line and discussed establishing some type of cap for various types of vehicles. Mr. Adams said that the subcommittee discussed further consideration of grandfathering in individuals who have held a permit for a number of years. He mentioned the issue of street legals and the problem with 4-wheelers. He stated that 4-wheelers should be the 4 x 4 models and that 2-wheel drive 4-wheelers are often used for racing.

Mr. Denham suggested a cap on UTVs.

Mr. Fuller asked if the subcommittee had any idea of how many vehicles are 2-wheel drive. Ms. Powell said that she does not believe that that type of data is collected. She said that the younger riders often ride 2-wheel drive models, and if they were banned, younger riders would not be able to ride. She suggested that the ORVAC make recommendations allowing exemptions for youth ORVs. Mr. Fuller believed that there was a state law that prohibited use of ATVs by youth and was told that special training in Big Cypress could be used. Ms. Powell said that the subcommittee discussed individuals with multiple vehicle types. She said that some operators may have a swamp buggy, an ATV, and an airboat, and they can only operate one vehicle at a time. She recommended the ORVAC consider recommending placing the described equipment under a single permit. She mentioned that the subcommittee discussed group rides. She said some of these rides may contain 25 people or more, and she believed that this type of activity should be covered under a Special Use Permit. Ed Clark said that at the present time, BICY has no maximum number for a group that, if exceeded, will require a permit. There are other units in the NPS system that have maximum group size limitations, and the Preserve is capable of setting a limit through data collected from the public. Ms. Powell voiced concern that a large group of riders could visit the Preserve and take their permits with them after a one-time experience. She said that some time ago BICY had some type of lottery system in place, and ORV recreationalists had to submit a card similar to a quota hunting permit application. If there was less than the cap, everyone received a permit. She further explained that the cap was never reached, and if the cap was exceeded, there would be a drawing rather than first come, first serve.

Mr. Fuller said that there is the potential for a group to contact the Preserve and say that they would like to have a rally at BICY. In response, Ed Clark said that the ORV plan did not anticipate that type of event in BICY and that such a group would have to submit an application for a Special Use Permit. He further explained that if the group obtained permits individually, they could certainly get together and ride.

Mr. Fuller stated that in the past, Ocala National Forest has had problems with group riders. He recommended that BICY management steer away from that type of trouble. Ed Clark replied that the Special Use Permit must take in consideration a number of factors that could potentially affect Preserve resources and visitor experience.

Mr. Fuller mentioned that some of the audience has met Dr. Tom Herbert, who has been hired by the Miami-Dade County Jetport property to come up with a recreational plan for those areas of the Jetport property which could be opened for public recreation. Dr. Herbert is developing a management plan for the Jetport. Mr. Fuller noted that the Jetport authorities have discussed more intensive ORV or 4-wheeler activities on the property, and he is aware that that Dr. Herbert has received grants from the Division of Forestry and believes that the BICY ORVAC efforts are somewhat correlated closely with the Miami-Dade County ORV plan. At some future meeting, the ORVAC may want to have Dr. Herbert make a presentation on what he is recommending to Miami-Dade County.

Mr. Greer asked Mr. Clark if he knew how many permits the Preserve has currently issued, and the reply was 1,504. Mr. Greer voiced concern that the lottery system and permit cap issue must be dealt with soon.

Ms. Clark read the charge of the subcommittee as follows:

- Adjust more efficient use of the 2,000 ORV capacity
- Adjust flexibility in determining the 2,000 ORV capacity
- Identify, review, and evaluate relative data and identify gaps in data as well
- Does the permit need to be an annual permit?
- What type of impacts do different vehicles have?
- Can there be a day use permit?
- Is the 2,000 ORV permit cap based on a full calendar year?

Ms. Clark said the subcommittee has a good start and asked if there were any particular questions that the subcommittee would like to get from the remainder of the group, and she asked what the time frame is for the work of the subcommittee. She asked if it was possible to have recommendations by September. Mr. Jenkins responded that the subcommittee needs another working meeting, and they will meet before the September committee meeting. Ms. Clark asked if the subcommittee could have two options or recommendations by the September meeting. Mr. Jenkins said that he had an issue for the ORVAC to consider and that he has considered a method to place percentages on types of vehicles to be used as a method of issuing permits fairly.

Mr. Jenkins shared data with the committee:

- In 2004 there were 221 swamp buggies registered
- In 2007 there were 541 swamp buggies registered
- In 2004 there were 574 ATVs registered
- In 2007 there were 1,066 ATVs registered

Mr. Jenkins said that past and present data could be used to help create percentages of types vehicles allowed in the Preserve.

Mr. Adams mentioned that when the Preserve was established, the Florida Game and Freshwater Fish Commission (FGFFC) was regulating hunting seasons and vehicles in the Preserve. At that time ATVs were prohibited. He reflected on a time when he asked FGFFC to change the regulations to allow ATV access and believes the assistance he provided may have returned to haunt him. He said he is not inherently biased against ATVs, and that there are two types of operators, the responsible ATV person and the “mudders.” Mr. Adams is vehemently opposed to the mudders. He believes that the ORVAC must address the issue of ATVs and that there may be a time when he and others will not be able to get a permit. He continued in saying that the ORVAC must look closely at limiting the number of ATVs in the Preserve.

Ms. Powell supported Mr. Adams comments by saying that the ORVAC should look at what type of vehicular use is appropriate use. She mentioned passive use of ORVs for viewing wildlife as opposed to sport riders or mudders. She did not think the Preserve has a policy against mudders. They have regulations that say a rider is limited in speed, but there is no policy that says sport riding is inappropriate for resources in the area. Ms. Powell recommended a policy and a statement that informs the rider in advance that sport riding is not appropriate in the Preserve.

***Potential Action:*** Policy that prohibits sport riding in BICY.

Ms. Powell believes this is a social issue. One member asked if Preserve management has the authority to revoke riders' privileges if they are caught sport riding, and the BICY management response was yes. Mr. Greer said that he has an ATV permit and a swamp buggy permit and that his ATV is taken to his camp and locked away as security just in case something happens to his buggy. Mr. Greer feels strongly that he needs both vehicles for use by his family and recommended that the ORVAC not take vehicle limitations lightly. Mr. Greer spoke of misuse of ATVs by some individuals, and he would hate for their behavior to reflect on those who are operating their equipment responsibly.

Ms. Clark asked if it was in the purview of the committee to make suggestions on policy-related use. Mr. DeGross said that the previous discussion is one of the problems that he and others have seen statewide. There are few if any places to provide intense (high speed) ORV recreation, and that is why Miami-Dade has entered the search to find the type of recreation a growing number of the public enjoys. BICY management recognizes mudding as an educational issue that perhaps the Education Subcommittee could put together to inform the public of where they could go to recreate in that manner. Mr. DeGross challenged the ORVAC to think of ways of how BICY management could improve enforcement and education for ORVs.

Mr. Greer asked if the NPS will be involved with the conversations concerning the Jetport. Mr. Ramos replied that the NPS has had discussions with Miami-Dade County representatives and told them that BICY would like to be included as they progress through their planning process. He identified the Jetport as lands within Preserve boundaries that belong to Miami-Dade County, and there is very little the NPS can do to exercise any authority over what Miami-Dade County decides for their lands. He mentioned that the County has been very cordial in terms of offering BICY an opportunity to express any concerns that the NPS may have in regard to the manner in which they will manage their property. Mr. Greer said that he would think the NPS would assist Miami-Dade County with their plans to relieve undesired pressure in the Preserve. Mr. Ramos explained that the NPS recognizes the loss of the type of recreation that is no longer available for people who seek the type of intense ORV experience that is not available at BICY.

Mr. Fuller requested clarification on the Miami-Dade County property discussion by asking if the property falls within the authorized boundary of the Preserve, does it belong to Miami-Dade County. Mr. Ramos confirmed that it does.

One member asked if the original 2,000 permits were earmarked for swamp buggies, and the group responded that the permits were for all types of ORVs, including airboats. It was suggested that landowners should be exempt from the permit process, because they need the equipment to reach their property. The question was asked if BICY could handle 2,000 vehicles a day. Mr. Ron Clark, BICY Chief of Resource Management, responded that the ORV plan did not contemplate carrying capacity. The 2,000 total is an annual total based on sales. He stated that the plan is silent on what would be the contingency for all 2,000 vehicles visiting the Preserve on the same day. He said that he spoke to statisticians who look at the effects on the environment and ecology with regard to use, and his intention is to get some help to look from a data standpoint at what is appropriate carrying capacity and what is the probability based on BICY history of all 2,000 vehicles being in the Preserve at the same time. Intuitively, he suggests that the probability is relatively remote that all vehicles would show up at the same time. He further stated that this does not mean that this could not occur ten years from today. He explained that the problem is occurring in other units of the NPS where they are having jeep jamborees when thousands of people show up for the weekend. He said that just because ORV recreationalists are not showing up now in those numbers, this does not mean that it would not occur in the future. The short answer to the question is the plan did not look at carrying capacity, it only considered annual sales.

Franklin Adams stated that people sometimes apply for permits and do not use them. He said that in his experience he believes that less than 500 people would be in the woods on a single day.

Mr. Fuller stated that the regulations should anticipate someone wanting to do a big type of event. In his personal experience, with the exception of the first nine days of hunting season, individuals could recreate for several days and come across maybe one other buggy. He feels that considering the mass marketing of ATVs, there should be a firmer policy on big events.

Mr. Adornato said that if there is no carrying capacity contemplated in the ORV plan, how does this relate to the U.S. Fish and Wildlife Service's Biological Opinion? How would the 2,000 permits be evaluated for carrying capacity? Mr. Clark replied that the question arose during the previous ORVAC meeting. He said that the number was based on the history of permits sold in the past, and he knows that there is some confusion about the numbers 2,500 and 2,000, which was the result of an analysis that was done on the 2000 Record of Decision (ROD), that had 2,500 as stated in the General Management Plan (GMP) for the Preserve. In the 2000 ORV plan, it was recognized that the environmental analysis was done on one figure and the ROD disclosed another figure, so the ORV plan went back to the figure that was in the GMP that was subject to the environmental analysis. Mr. Ramos added that the ORVAC may want to refer to the ORV plan page 47 that goes into the discussion that Mr. Clark was referring to.



Mr. Fuller said that he recommended during the previous meeting that the ORVAC take a look at the averages of the different classes of ORVs for the past five years. They could then possibly tweak airboats, because there were far more airboats operating in the Preserve prior to the lawsuits than there are now. He suggested looking at long-term averages and basing the maximum carrying capacity on that information.

Ms. Clark summarized the discussion and identified various methods of determining carrying capacity as recommended by the ORVAC. She suggested that the committee ask the subcommittee to come back to the group in September with two or three recommended options for the ORVAC to react to and return in November with a final recommendation.

One member asked how many landowners there are in the Preserve. Mr. Ramos replied that in the original Preserve boundary there are less than 200 privately owned properties. Those properties are owned by multiple owners in many cases, and there are numerous leases.

Regarding the concern about exceeding the carrying capacity, Ms. Powell said she does not feel that the ORVAC can address an issue that so far has not been a problem. She said that at one time there were up to 10,000 buggies in use in the Preserve. She said that the total capacity was based on the understanding that at no time is there ever more than a fraction of that number of buggies in use in the Preserve. Much of the year there might be only a handful alone. She explained that current high water conditions would not allow ATVs to operate in the Preserve. In her opinion, the impact of 2,000 permit holders, even if they were all used at the same time on  $\frac{3}{4}$  of a million acres, is negligible. She said the backcountry trip ticket data would be extremely valuable.

**Public Comment.** Mr. Frank Denninger stated that what he has heard is the most worrisome discussion that he has heard, and he does not think that the issues are worth talking about now. He does not agree that when BICY was 500 permits away from the cap there was a crisis. He believes that the main issues are whether use of an ORV is a cultural use. He has been in the area for 45 years and does not like the idea of someone not understanding the differentiation. He said that he could have a buggy that weighs 5,000 pounds if he wanted but prefers the smaller, lighter ORVs. He said that the discussion will lead to a lot of division between ORV recreationalists and believes the ORVAC is going in one direction. He said that the federal laws for the original Preserve and the Addition support traditional use. The mudders are not authorized to be in Big Cypress; the law only supports traditional use. The Addition Act actually reinforces that with specificity, and the Addition is part of Big Cypress, so it applies to Big Cypress 100%. There is nothing the ORVAC can do about ORVs this year, and the ORVAC has well into next year to make recommendations. People should be thankful for well-maintained trails that will sustain use for a long time.

Mr. Fuller replied that he believed there was an earlier presentation where it was determined that BICY had reached as many as 1,900 permits last year, and the issue of vehicle caps is real problem.

Mr. Greer asked Ed Clark where BICY was on the number of permits issued thus far this year. Mr. Clark said that the Preserve is on pace or a little ahead in the issuance of ORV permits as compared to 2007.

Mr. Denninger referenced a question that was previously discussed on what the demographics of permits were in 2000. He said he knew the numbers because he analyzed the data and that buggy-style ORVs and airboats comprised 52% of the ORVs in the Preserve and ATVs represented 48%. He acknowledged that current data suggests the numbers are favoring ATVs versus traditional swamp buggies. He said that it would be nice to grandfather certain vehicles, but he would not know how to do it because BICY is a federal preserve, and the NPS is reluctant to show favoritism. He stated that the required use of 4 x 4 ATVs is a good idea and that people with multiple vehicles could be helped by permitting the driver of ORVs and not the equipment. He said that owners of more than one automobile have a license to drive since only one vehicle can be driven at a time and believes this method of regulation could be applied at BICY. He thinks the primary thing that was learned today was that, considering ORV days, the 2,000 cap will never be reached.

Mr. Lyle McCandless spoke to the ORVAC both individually and for the Big Cypress Sportsmen's Alliance. He does not think that the committee is taking full advantage of the data that has been collected over the years. If the ORV impact of any given day was known, any day of the year, a working average could be calculated as a way to determine the physical impact of vehicles on a daily basis. He was hoping that he would hear a more scientific reasoning for limiting ORVs to 2,000 vehicles, but it appeared to him that the number is arbitrary. If it were known how many ORVs are impacting any given day, then a better analysis could be made of the impact. Street legals are now allowed in all of Bear Island, and originally they were supposed to only be allowed on the hardened trails. Something has happened that now allows street legals access to all of Bear Island, and he believes that the ORVAC should consider whether it is proper to have street legals anywhere in Bear Island and not in Turner River. Everyone needs to understand that ORVs are allowed, and when an ORV goes down a trail, it will leave a track. The 4-wheelers will be a continuing problem during the typical hunting seasons when the water is up. In these conditions they cannot remain on the trail. Vehicle types should be considered, and ATVs may be best used later in the year to take advantage of dry conditions and restricted during wet seasons when they have a distinct disadvantage to traditional buggies. The "yellow brick road" is vastly over-improved, and a corvette could reach his camp now. The traditional buggy was built to get back into Big Cypress to recreate. The current discussion is now focused on improving trails in Bear Island and solidifying them. He questions if the work is necessary. A typical buggy would go on all of those trails, so he cautioned the NPS to be careful to prevent overdoing the trail improvements and believes that all that will be accomplished is exacerbate the ORV permit problem by welcoming more people, equaling more impacts.

Mr. Jenkins said that the subcommittee will return in September with information to share with the committee.

***Committee Discussion.*** Ms. Macdonald recommended acquiring more data in determining what acceptable ORV use in the Preserve is.

Mr. Fuller said that in reference to the 2000 ORV cap, there was extensive work done by the Florida Game and Freshwater Fish Commission and U.S. Fish and Wildlife Service, and the number was not something that was pulled out of a hat. He said that there were all types of input and there were many comments on the General Management Plan. He said that it has been long enough that many people are not around who actually worked on the Plan, but he remembers sitting in on numerous discussions on how the 2,000-vehicle cap was determined. A past BICY superintendent was actually looking at buggy configuration by using tire size and weight as determining criteria, but this method was replaced in subsequent years. There might be some good information in the files that can be used from that time.

***Potential Future Discussion:*** Vehicle specifications.

**Youth Access.** Ed Clark stated that the issue of youth access boils down to children operating ORV issues. The BICY ORV plan specifically prohibits the operation of ORVs by unlicensed operators. The plan does allow the operation of ATVs by riders with a learners permit accompanied by an adult. The NPS could not ignore safety-related recommendations that were coming out of the Consumer Product Safety Commission with regard to age limits, and the Preserve adopted those standards. Statistics showed that the highest death and accident rate among ORV recreationalists was for riders from 6 to 16 years of age, and this data influenced the Preserve's decision. Mr. Clark said that the youth rider restrictions were implemented in the plan, and the issue has not gone away--there are children operating adult-size ATVs. He said that BICY has received numerous requests for children under the age of 16 to operate ORVs in the Preserve, based largely on past preferences and local cultural values. Each time a request was received, BICY management reevaluated the NPS position and looked at it referencing available statistics when the request was made and in light of the current legal backdrop that goes with it. He said that the death and injury rate due to youth operation of ATVs continues to rise. Statistics show 555 deaths and 146, 600 injuries; for children under 16, the number of deaths is 111 or 20% of all deaths, and the injuries are 39,300. These studies indicate that approximately 90% of the deaths and injuries to children occur to children operating adult-size ATVs. Florida has risen from number 6 to number 2 nationally for ATV deaths. Florida had 202 deaths in a 10-year period from 1992 to 2002, which is approximately 3.7%. From 2003-2006 the number of deaths was 145 deaths or approximately 5.5%. At this point the Preserve believes that it is their responsibility to protect users through fair and reasonable regulations based on the best and most recent available data. The data continues to demonstrate an alarming trend. It is BICY management belief that the NPS should postpone reconsideration of BICY rules until the Consumer Products Safety Commission concludes its current process and

publishes an ROD. At that time BICY would recommend analyzing what the requirements are within the context of our community in the Preserve. In the interim, it is recommended that the ORVAC address this issue and begin discussing it. It was suggested that the ORVAC's recommendations be included in the decision process for youth operating ATVs in the Preserve.

***Committee Discussion.*** The committee asked when the Safety Commission will publish the ROD. Mr. Clark said that he called the Safety Commission and was told that it would be difficult to determine, especially during the current election year. It is possible that in 2009 they will conclude the process.

Ms. Powell noted that it appears that most of the youth accidents come from sport riding and are not applicable to Big Cypress. Mr. Clark disagreed and said many of the accidents are related to outdoor recreation such as hunting. He said the types of accidents that are occurring are accidents by youth operating adult vehicles. His reference information showed risky behaviors as another major factor for accidents.

Ms. Powell said that the ORVAC has been asked by Mr. Eric Kimmel to address the issue of youth access. She said that trail riding is a rite of passage and is part of their children's cultural heritage, and she suggested allowing exemptions for youth who ride 2-wheel drive ATVs. She said that there must be a way to preserve these traditions.

Mr. Denham asked if there were any statistics on deaths from ATVs in the Preserve. Mr. Clark's response was no, and he was unaware of any deaths since he has been at Big Cypress or in the past.

Mr. Fuller asked if there was a breakdown of how many injuries occurred on the streets and how many occurred in the woods. Mr. Clark responded that he has that data that numbers he quoted were filtered to assure accuracy. Mr. Woods recommended that parents be able to make the decision on youth use of ATVs in the Preserve. He further recommended that parents should sign a waiver for youth operation of ATVs, and by doing so, they promise that their child will wear a helmet and will be within eyesight of the parent at all times.

***Future Agenda Item:*** Ms. Clark suggested that the youth access discussion be placed on a future agenda.

***Public Comment.*** Mr. Bill Clark said he has recreated in BICY for approximately 50 years. His grandsons operate ATVs, and he feels strongly that the issue is something the parents should control. He does not agree with mandates that require youth to possess a license to operate an ATV in the Preserve.

Mr. Donnie McDowell appreciated the opportunity to speak and asked in reference to all that was heard tonight and all of the data that was referenced, how many people have been injured on 4-wheelers in Big Cypress. He asked, when children were riding ATVs, how many were injured or killed. The local statistics are the figures that he would like to

hear and not the national averages. The committee should listen to the numbers presented but question where they came from. He appreciated the opportunity to speak and said that it is important to get our youth outdoors again. He said that there are far too many rules and regulations that inhibit the enjoyment of ATV riding.

Mr. Frank Denninger seconded what Mr. McDowell said. He said that what is important in Big Cypress is not about Big Cypress. The national statistics on youth deaths do not apply here because there have been none. BICY is in a lot better shape than the rest of the country. BICY is a very unique place that should be considered for what it is and not compared to other places. The current laws on ATVs are probably designed to protect the ATV industry as much as it is the people who ride them. He mentioned regulations on the use of helmets and said that last year or the year before Florida modified their helmet ruling structure. He said it is very difficult to ride an ATV with a helmet due to the region's heat and humidity.

**Agenda for Next Meeting.** Ms. Clark asked for advice in setting the agenda for the September meeting, suggested as follows:

- Turner River Trails development--final recommendation
- Education update
- Lottery system--several draft recommendations
- How to approach a policy that relates to sport riding or mudding
- Youth access

Manley Fuller mentioned that Dr. Herbert disclosed that Miami-Dade County may be available for sport riding on the Jetport property, and Mr. Fuller is looking to receive a summary of proposed activities. Ms. Connell said that she is a member of the state's OHV committee, and through a grant program the state pays for the study. Initially, they received a grant to look at sites in general and came up with a list. They submitted another grant to look more in depth at this particular site, as Mr. Fuller stated. They will have to produce the report and give it to the advisory committee. Secondly, Ms. Connell acknowledged the need for riding areas in southwest Florida and said Mr. John Waldron is putting together a coalition of folks down here to work on this issue. She assured the public that the state is working as hard as they can to find other areas to take some of the load from Big Cypress.

Mr. Ramos observed that learning more about the Jetport project seems to be of interest to the committee. He asked if it was the intention of the committee to use the Jetport project as a reference. Mr. Fuller said that he brought the issue up due to the need to deal with sport riders. He said that Dr. Herbert believes that there is opportunity for sport riding on Jetport property, and it could be a place to which the Preserve could direct those types of riders. He wished for the committee to be informed on what is being done on adjacent property within the boundaries of BICY that could address some of the issues that the ORVAC is facing.

Mr. Ramos pointed out that there are some external factors happening affecting the Preserve and there is an interest in understanding what the global picture looks like to better equip the committee for decisions that are being made here.

Mr. McCandless stated that vehicle specifications become irrelevant on a designated trail system.

Ms. Powell said that when the Preserve was established there were approximately 6,000 ORVs using Big Cypress, and today there are less than 2,000. In a way, the ORV users have regulated themselves, and she reminded everyone to keep that thought in mind.

***BICY Action:*** Ms. Powell requested that staff alert the ORVAC when there are new postings on PEPC.

In closing, Mr. Ramos expressed his and staff appreciation for the work that the ORVAC does. He asked the ORVAC to work hard to provide a good product in September and thanked staff for their participation in tonight's meeting.

The meeting adjourned at 8:12 p.m.